IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.372 OF 2006

Shri Balasaheb Bhimrao Babar ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

.....

Mr.Machhindra Patil for Petitioner.

Mr.D.A.Patil, A.G.P. for Respondents 1 and 4.

Mr.S.G.Kudale for Respondents 2 & 3.

.....

**CORAM: A.M.KHANWILKAR, J.**

**MARCH 5, 2007.**

**P.C.**

1. The grievance in this Petition is about non-compliance of the direction contained in order dated 12th January 2006. Even on fair reading of that order, to my mind, the only direction is to the Education Officer to decide the representation of the Petitioner expeditiously, if filed. That was to be done within two months.

2. The Education Officer on affidavit has stated that the representation of the Petitioner has been decided within time and appropriate directions have been issued against the Management.

3. The fact that Management has still not paid the amount to the Petitioner cannot be the basis to entertain this Petition. This is so because the present Petition is to initiate action for civil contempt. It could have been a case of civil contempt only if the Education Officer had failed to decide the representation preferred by the Petitioner within specified time. For any other matter, the Petitioner will be free to approach appropriate forum and seek relief as may be advised and permissible by law. All questions in that behalf are left open.

4. It is made clear that I am not examining the stand of the Respondent/Management that they are not liable to pay any amount in terms of the order passed by the Education Officer. That aspect will have to be considered in appropriate

proceedings. All questions are left open.

Petition disposed of accordingly. Notices issued to Respondents stand discharged.

A.M.KHANWILKAR, J.